GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:600
ANSWERED ON:19.07.2017
Pending Cases
Dubey Shri Nishikant ;Hay Prof. Richard;Jardosh Smt. Darshana Vikram;Kataria Shri Rattan Lal;Malviya Prof. Chintamani;Pandey Shri Rajesh;Pandey Shri Ravindra Kumar;Puttaraju Shri C.S.;Rao Shri Rayapati Sambasiva

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the details of the civil and criminal cases pending at various levels in the judiciary, State and district-wise;
(b) the steps taken / being taken in consultation with the State Governments to address the high pendency of cases;
(c) the details of the vacancies of judges at various levels in the judiciary;
(d) the steps being taken to fill up these vacancies;
(e) whether there has been a decline in the number of pending cases in the last three years and there has been an impact of digital revolution on courts; and
(f) if so, the details thereof and the details of any other initiative under Nyaya Mitra scheme taken by the Government to provide speedy justice to the citizens?

Answer

ANSWER

MINISTER OF STATE FOR LAW AND JUSTICE AND ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI P. P. CHAUDHARY)

(a) : Data on pendency of cases is maintained by the Supreme Court and the High Courts. As per the information available on the website of the Supreme Court, 60,751 cases were pending in the Supreme Court as on 01.05.2017. As per the information furnished by High Courts, 40.15 lakh cases were pending in various High Courts, and 2.74 crore cases were pending in various District and Subordinate Courts as on 31.12.2016. The details of the High Court-wise and State / UT − wise pendency of civil and criminal cases as on 31.12.2016 are given in the Statement at Annexure − I and Annexure − II respectively.

(b) : The Government has adopted a co-ordinated approach to assist judiciary for phased liquidation of arrears and pendency in judicial systems, which, inter-alia, involves better court infrastructure including computerisation, increase in the strength of subordinate judiciary and initiating policy and legislative measures in the areas prone to excessive litigation and emphasis on human resource development. In pursuance of resolution passed in the Chief Justices' Conference held in April, 2015, High Courts have set up Arrears Committees to clear the backlog of cases pending for more than five years. Hon'ble Minister of Law and Justice vide his letters dated 10th April, 2017 addressed to all Hon'ble Union Ministers and all Hon'ble Chief Ministers to launch 'special arrears clearance drives' to reduce Government Litigations. In the case of Imtiyaz Ahmed versus State of Uttar Pradesh and others, the Supreme Court had asked the Law Commission of India to evolve a method for scientific assessment of the number of additional courts to clear the backlog of cases. In 245th report (2014), the Law Commission has observed that filing of cases per capita varies substantially across geographic units as filings are associated with economic and social conditions of the population. As such the Law Commission did not consider the judge population ratio to be a scientific criterion for determining the adequacy of the judge strength in the country. The Law Commission found that in the absence of complete and scientific approach to data collection across various High Courts in the country, the "Rate of Disposal" method to calculate the number of additional judges required to clear the backlog of cases as well as to ensure that new backlog is not created, is more pragmatic and useful. In May, 2014, the Supreme Court asked the State Governments and the High Courts to file their response to the recommendations made by the Law Commission. In August 2014, the Supreme Court asked the National Court Management System Committee (NCMS) to examine the recommendations made by the Law Commission and to furnish their recommendations in this regard. NCMS submitted its report to the Supreme Court in March, 2016. It has, inter-alia, observed that in the long term, the judge strength of the subordinate courts will have to be assessed by a scientific method to determine the total number of "Judicial Hours" required for disposing of the case load of each court. In the interim, the Committee has proposed a "weighted" disposal approach − disposal weighted by the nature and complexity of cases in local conditions. The matter is sub-judice before the Supreme Court, at present. As per the direction of the Hon'ble Supreme Court in its Order dated 02.01.2017, the Department of Justice has forwarded a copy of interim report of the NCMS Committee to all State Governments and High Courts to enable them to take follow up action to determine the required Judges Strength of district judiciary based on the NCMS report.

(c): The sanctioned strength of judges in the Supreme Court is 31 and 4 posts of judges are vacant as on 10.07.2017. The sanctioned strength of judges in the High Courts is 1,079 in July, 2017. 401 posts of judges in the High Courts are vacant as on 10.07.2017 which includes 173 newly created posts. The Appointment of Judges and Judicial Officers in the District and Subordinate Courts falls within the domain of the High Courts and State Governments concerned. The details of approved and working strength and vacancies of Judges of Supreme Court and High Courts as on 10.07.2017 is given at Annexure − III.

(d) : Filling up of the vacancies in the High Courts is a continuous process, as it requires consultation and approval from various

Constitutional Authorities. While every effort is made to fill up the existing vacancies expeditiously, vacancies do keep on arising on account of retirement, resignation or elevation of Judges and increase in Judge strength. The subject matter relating to filling up of vacancies in the District and Subordinate Courts falls within the domain of the High Courts and the State Governments concerned. The Central Government has no role in appointment of Subordinate Judiciary.

(e) & (f): Disposal of cases is within the domain of the domain of judiciary. Increase / decrease of disposal of cases and Increase / decrease of pendency of cases depend upon various factors such as nature and type of cases, completion of investigation of cases, availability of Judges / Judicial Officers, availability of judicial infrastructure, availability of accused / witness, computerisation of courts, automation of court procedures, efficiency of Judges / Judicial Officers etc. Despite of various constraints, pendency of cases in the Supreme Court has declined from 62 thousand cases in the year 2014 to 60 thousand cases in the year 2017. Pendency of cases in High Courts has also declined from 41.53 lakh cases in the year 2014 to 40.15 lakh cases in the year 2016. Pendency of cases in District and Subordinate Courts has, however, increased from 2.64 crore cases in the year 2014 to 2.74 crore cases in the year 2016 due to increased filing of cases.

There has been positive impact of eCourts Mission Mode project on the Courts. National Judicial Data Grid (NJDG) portal created for public access in September, 2015, contains information of 7 crores pending and disposed cases, and more than 4 crores orders / judgments. The number of transactions recorded for eCourts through eTaal portal raised from 2 crore in the year 2014 to 66 crore in the year 2017. The eCourts transactions have thus emerged as one of the topmost accessed services of the Government. The services such as SMS and case disposal started in the year 2014, has recorded more than 8.59 crore auto-generated SMSs sent to lawyers and judges. During the period, number of court orders accessed has increased from a mere 64 in the year 2014 to 3.56 crore in the year 2017. There was no video conferencing facility available till the year 2014. Video conferencing facilities have now been operationalized between 493 courts and corresponding 342 prisons during the years 2015-2017.

The Government has approved a scheme of engaging 227 Nyaya Mitras in States where there are large number of pendency of court cases. The Nyaya Mitras are required to assist the litigants who are suffering due to delay in investigations or trial, by actively identifying such cases through the National Judicial Data Grid (NJDG). These Nyaya Mitras are meant to identify the bottlenecks due to which these cases are delayed.

The Government has also approved two legal aid and empowerment initiatives, Pro bono legal services and Tele Law service. Under the Pro bono legal services an online database of lawyers and eligible litigants has been created. As on date 140 lawyers have enrolled under the scheme to provide free legal aid to marginalized persons. Under the Tele Law service, legal aid is mainstreamed through 1800 Common Services Centres in selected Panchayats in U.P., Bihar and States of North East and J & K. As on date a total of 568 cases have been registered in Tele Law portal for legal aid.
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Annexure - I

STATEMENT REFERRED TO IN REPLY TO LOK SABHA UNSTARRED QUESTION NO. 600 FOR ANSWER ON 19TH JULY, 2017.

Number of Civil and Criminal cases Pending in High Courts as on 31.12.2016

S. No. Name of the High Court Civil cases Criminal cases
1 Allahabad 5,50,375 3,65,671
2 Andhra Pradesh 2,49,855 41,906
3 Bombay 2,10,459 51,190
4 Calcutta 1,80,098 38,966
5 Delhi 49,358 17,724
6 Gujarat 50,325 24,773
7 Gauhati 24,044 5,425
8 Himachal Pradesh 19,648 5,499
9 Jammu &Kashmir 53,909 5,495
10 Karnataka 2,53,613 24,007
11 Kerala 1,28,355 38,380
12 Madras 2,62,587 35,030
13 Madhya Pradesh 1,80,952 1,08,493
14 Orissa 1,27,573 40,430
15 Patna 82,874 51,585
16 Punjab & Haryana 2,09,997 92,316
17 Rajasthan 1,84,451 69,680
18 Sikkim 129 41
19 Uttarakhand 22,564 9,440
20 Chhattisgarh 35,078 20,564
21 Jharkhand 44,568 41,189
22 Tripura 2,151 394
23 Manipur 3,169 117
24 Meghalaya 667 33
Total 29,26,799
10,88,348

Source: High Courts.

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Annexure - II
STATEMENT REFERRED TO IN REPLY TO LOK SABHA UNSTARRED QUESTION NO. 600 FOR ANSWER ON 19TH JULY, 2017.
Number of Civil and Criminal cases Pending in District and Subordinate Courts as on 31.12.2016

S. No.	Name of State/UTs	Civil cases	Criminal cases
1.	Andhra Pradesh & Telangana	5,08,115	5,69,829
2.	Arunachal Pradesh	3,023	11,560
3.	Assam	68,205	1,90,434
4.	Bihar	3,39,856	17,88,469
5.	Chhattisgarh	65,581	2,24,853
6.	Goa	24,924	17,150
7.	Gujarat	5,51,881	12,70,430
8.	Haryana	2,44,422	3,03,314
9.	Himachal Pradesh	87,080	1,19,861
10.	Jammu & Kashmir	49,251	96,748
11.	Jharkhand	64,151	2,78,617
12.	Karnataka	7,01,928	6,60,239
13.	Kerala	4,17,790	10,64,877
14.	Madhya Pradesh	1,86,759	9,10,875
15.	Maharashtra	11,21,453	21,18,087
16.	Manipur	3,637	3,341
17.	Meghalaya	3,543	11,696
18.	Mizoram	2,085	2,580
19.	Nagaland	1,688	2,762
20.	Orissa	2,73,756	7,75,569
21.	Punjab	2,44,960	2,59,360
22.	Rajasthan	2,53,332	8,95,372
23.	Sikkim	474	960
24.	Tamil Nadu and Puducherry	6,34,690	4,64,831
25.	Tripura	8,534	35,034
26.	Uttar Pradesh	15,23,215	44,56,856
27.	Uttarakhand	32,062	1,58,886
28.	West Bengal	5,60,684	21,68,069
29.	A & N Island	3,507	5,260
30.	Chandigarh	15,377	23,530
31.	Daman & Diu	866	854
32.	D & N Haveli	1,533	2,233
33.	Delhi	1,56,540	4,49,641
34.	Lakshadweep	153	204
Total		81,55,055	
		1,93,42,381	

Source: High Courts.
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Annexure - III
STATEMENT REFERRED TO IN REPLY TO LOK SABHA UNSTARRED QUESTION NO. 600 FOR ANSWER ON 19TH JULY, 2017.

Statement showing the Approved Strength, Working Strength and Vacancies of Judges in the Supreme Court of India and the High Courts.
(As on 10.07.2017)

Sl. No.	Name of the Court	Approved Strength			Working Strength			Vacancies as per Approved Strength		
A.	Supreme Court	31			27			04		
B.	High Court	Pmt	Addl	Total	Pmt	Addl	Total	Pmt.	Addl	Total
1	Allahabad	76	84	160	67	24	91	09	60	69
2	High Court of Judicature at Hyderabad	46	15	61	27	0	27	19	15	34
3	Bombay	71	23	94	54	20	74	17	03	20
4	Calcutta	54	18	72	33	01	34	21	17	38
5	Chhattisgarh	17	05	22	08	05	13	09	0	09
6	Delhi	45	15	60	38	0	38	07	15	22
7	Gauhati	18	06	24	07	12	19	11	-06	05
8	Gujarat	39	13	52	25	06	31	14	07	21
9	Himachal Pradesh	10	03	13	06	02	08	04	01	05
10	Jammu & Kashmir	13	04	17	12	0	12	01	04	05
11	Jharkhand	19	06	25	08	06	14	11	0	11
12	Karnataka	47	15	62	21	08	29	26	07	33
13	Kerala	35	12	47	31	05	36	04	07	11
14	Madhya Pradesh	40	13	53	17	18	35	23	-05	18

15 Madras 56 19 75 45 09 54 11 10 21
16 Manipur 04 01 05 02 0 02 02 01 03
17 Meghalaya 03 01 04 03 0 03 0 01 01
18 Orissa 20 07 27 18 0 18 02 07 09
19 Patna 40 13 53 23 12 35 17 01 18
20 Punjab & Haryana 64 21 85 43 10 53 21 11 32
21 Rajasthan 38 12 50 21 16 37 17 -04 13
22 Sikkim 03 0 03 03 0 03 0 0 0
23 Tripura 04 0 04 02 0 02 02 0 02
24 Uttarakhand 09 02 11 09 01 10 0 01 01
Total 771
308
1079
523
155
678
248
153
401

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